

HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

HP TUNERS, LLC, a Nevada limited liability
company,) CASE NO. 3:17-cv-05760-BHS
)
Plaintiff,) SUPPLEMENTAL DECLARATION OF
) ANDREW P. BLEIMAN, ESQ. IN
vs.) FURTHER OPPOSITION TO
) DEFENDANT JOHN MARTINSON'S
KEVIN SYKES-BONNETT and SYKED) MOTION FOR SUMMARY JUDGMENT
ECU TUNING INCORPORATED,) (DKT. 183)
Washington corporation, and JOHN)
MARTINSON,)

Defendants.

I, Andrew P. Bleiman, Esq., of full age and competency, do hereby certify and say as follows:

1. I am an attorney of the State of Illinois and the Managing Attorney of the law firm Marks & Klein, LLP's Illinois office. In that capacity, I have been entrusted with the above-captioned file. I am fully familiar with the facts and circumstances alleged herein.

2. This Declaration is submitted in support of Plaintiff's Supplemental Response Brief in Further Opposition to Defendant John Martinson's Motion for Summary Judgment (Dkt. 183).

3. Attached hereto as Exhibit 1¹ is a true and correct copy of an email dated October 13, 2017 from the email address johnsquared2@hotmail.com to the email address ken_cannata@att.net, including attachments.

4. Attached hereto as Exhibit 2 are HPT's confidential and proprietary Firmware Builder instructions. This document is being designated (and has been marked) as Highly Confidential pursuant to the Protective Order entered in this matter

5. Attached hereto as Exhibit 3 is a true and correct copy of an email dated November 8, 2017 from John Martinson using the email address software@sykedecutting.com to the email address ken_cannata@att.net.

6. Attached hereto as Exhibit 4 are HPT's confidential and proprietary commands in connection with HPT's Firmware Flasher. This document is being designated (and has been marked) as Highly Confidential pursuant to the Protective Order entered in this matter.

7. Attached hereto as Exhibit 5 is a true and correct copy of an email dated December 21, 2017 from ken_cannata@att.net to the email address johnsquared2@hotmail.com, without attachments.

I certify that all of the foregoing is true and accurate to the best of my knowledge, and if any of the foregoing is willfully false, I am subject to punishment.

Dated: September 18, 2019

s/ Andrew P. Bleiman
Andrew P. Bleiman

¹ The Exhibits referenced in this Supplemental Declaration have been marked as "Highly Confidential" pursuant to Protective Order. Given such designation, the exhibits and a motion to seal after leave to file the Supplemental Response has been granted.

CERTIFICATE OF SERVICE

I hereby certify that on September 18, 2019, I caused the foregoing to be electronically with the Clerk of Court using the **CM/ECF system** which will electronically send Notice to all Counsel of Record.

MARKS & KLEIN

s/ Andrew P. Bleiman
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